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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,791	03/18/2004	Rolf Mieger	298-222	8040
28249	7590	05/05/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			COTTINGHAM, JOHN R	
			ART UNIT	PAPER NUMBER
			2116	
DATE MAILED: 05/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,791

Applicant(s)

MIEGER ET AL.

Examiner

John R. Cottingham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 9 recites the limitation "the bearing hole" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Collins U.S. Patent 5,692,852. Collins shows all of the claimed subject matter of a quick-change attachment in figures 1-4.

Regarding claim 1, quick-change attachment to connect a tool, comprising a boom-connecting quick-change component 42 to accommodate a tool, one end of which has a pin 16, and the other end of which is retained in a bearing of the quick-

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change attachment by positive-fit or friction engagement, wherein a bushing 64 in the form of a half-liner having a support angle is inserted within the bearing.

Regarding claim 2, characterized in that the bushing 64 is composed of a wear-resistant material. (any material will wear)

Regarding claim 3, characterized in that the bushing 64 is secured within the bushing support region of the bearing by an adhesive-bonding joint, shrink joint, welded joint, and screw connection 72.

Regarding claim 4, characterized in that the bushing has a collar 54.

Regarding claim 5, characterized in that the bushing 64 in the form of a half-liner has an insertion slot which has essentially the same diameter as the bearing hole.

Regarding claim 6, characterized in that the bushing is composed of curved, flat steel, and that the faces of the bushing's free ends contact the bushing support region of the bearing.

Regarding claim 7, characterized in that the bushing is secured within the bushing support region of the bearing by an adhesive-bonding joint, shrink joint, welded joint, and/or screw connection 72.

Regarding claim 8, characterized in that the bushing has a collar 54.

Regarding claim 9, characterized in that the bushing in the form of a half-liner has an insertion slot 54 which has essentially the same diameter as the bearing hole 58.

Regarding claim 10, characterized in that the bushing 7 is composed of a curved, flat steel, and that the faces of the bushing's free ends contact the bushing support region of the bearing.

Regarding claim 11, structured and arranged to connect the tool to a boom 12 of a hydraulic excavator 10.

Regarding claim 12, wherein the bushing is structured and arranged to be replaceable and easy to insert into and remove from the bearing.

Regarding claim 13, additionally comprising at least one bore hole 62 for accommodating the tool-connecting pin.

Regarding claim 14, comprising three said boreholes (one in each section of 64).

Regarding claim 15, wherein said collar 41 is integrally-formed as part of an edge region of said bushing 64 and the bearing comprises a complementarily-shaped borehole arranged to receive both said bushing and collar in recessed, form-conforming manner.

Regarding claim 16, wherein the bushing 64 has a collar integrally-formed as part of an edge region of said bushing and the bearing comprises a complementarily-shaped borehole arranged to receive both said bushing and collar in recessed, form-conforming manner.

Regarding claim 17, wherein the bearing 64 comprises a bushing-support region having contact shoulders formed there within and structured and arranged to contact free-ends of the bushing which is formed as a curved half-liner.

Regarding claim 18, wherein the bushing 64 is formed as a symmetrical half-liner.

Regarding claim 19, wherein the bushing is formed as an asymmetrical half-liner, with the free-ends extending beyond a normally-extending symmetrical plane.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Collins U.S. Patent 5,951,192 and Ko et al. U.S. Patent 5,316,709 show similar inventions.
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Response to Arguments

5. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Cottingham whose telephone number is (571)

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272-7079. The examiner can normally be reached on Monday - Thursday, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571)272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John R. Cottingham
Primary Examiner
Art Unit 2116

jrc